

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SERVINY K. EDMOND,

Plaintiff,

– against –

JAMES DZURENDA,

Defendant.
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: **MEMORANDUM DECISION AND
ORDER**

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: 21-CV-6171 (AMD) (ARL)

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ANN M. DONNELLY, United States District Judge:

On November 1, 2021, the plaintiff, who was then incarcerated at the Nassau County Correctional Facility, brought this action under 42 U.S.C. § 1983. On May 26, 2022, the Court granted the defendant’s motion to dismiss the complaint, but granted the plaintiff 30 days to file an amended complaint. (ECF No. 16.) That order was mailed to the plaintiff, but it was returned by the United States Postal Service because the plaintiff had been “released.” (ECF No. 17.) The plaintiff never notified the Court of his new address. *See McAuley v. City of New York*, No. 21-CV-07413, 2022 WL 524135, at *3 (S.D.N.Y. Feb. 22, 2022) (noting that a *pro se* prisoner’s failure to provide the Court with a new mailing address after his release from custody may be grounds for dismissal); *Carr v. Hallett*, No. 21-CV-2808, 2021 WL 6136176, at *1 (E.D.N.Y. Dec. 29, 2021) (noting that the Court may dismiss an action “where a *pro se* plaintiff stops participating in litigation and circumstances where case-related mailings to the plaintiff are returned as undeliverable.”); *Scruggs v. Fludd*, No. 19-CV-5163, 2019 WL 6827294, at *1 (E.D.N.Y. Dec. 11, 2019) (explaining that a *pro se* plaintiff has a duty to inform the Court of any change of address).

Accordingly, the Clerk of Court is directed to enter judgment and close this case. The Clerk of Court is also respectfully requested to mail a copy of this Order to the plaintiff and to note the mailing on the docket. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

s/Ann M. Donnelly

ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
July 12, 2022